

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION

NETLIST, INC.,

Plaintiff,

v.

MICRON TECHNOLOGY, INC., MICRON  
SEMICONDUCTOR PRODUCTS, INC., AND  
MICRON TECHNOLOGY TEXAS LLC,

Defendants.

Civil Action No. 2:22-CV-203-JRG-RSP

**JURY TRIAL DEMANDED**

**DECLARATION OF MICHAEL R. RUECKHEIM IN SUPPORT OF  
DEFENDANTS' RESPONSIVE CLAIM CONSTRUCTION BRIEF**

I, Michael R. Rueckheim, declare as follows:

1. I am an attorney at the law firm of Winston & Strawn LLP, counsel of record for Defendants Micron Technology, Inc., Micron Semiconductor Products, Inc., and Micron Technology Texas LLC (collectively, “Micron”) in the above captioned matter. I am a member in good standing of the State Bar of Texas. I provide this declaration in support of Micron’s Responsive Claim Construction Brief. I have personal knowledge of the facts stated herein and could and would testify competently thereto if called as a witness in this matter.

2. Attached as **Exhibit A** is a true and correct copy of an excerpt from the Trial Transcript in *Netlist, Inc. v. Samsung Elec., Co., Ltd.*, No. 21-cv-00463 (E.D. Tex.) (hereinafter, “*Netlist-Samsung* case”).

3. Attached as **Exhibit B** is a true and correct copy of excerpts from the file history for U.S. Patent No. 8,787,060.

4. Attached as **Exhibit D** is a true and correct copy of U.S. Patent No. 9,824,035, which was filed as Exhibit 1001 in IPR2022-00236.

5. Attached as **Exhibit E** is a true and correct copy of excerpts from Netlist, Inc.’s (“*Netlist*”) Patent Owner Sur-Reply (Paper 17) in IPR2022-00236.

6. Attached as **Exhibit F** is a true and correct copy of excerpts from the Hearing Transcript (Paper 33) in IPR2022-00236.

7. Attached as **Exhibit G** is a true and correct, highlighted copy of the Final Written Decision (Paper 34) in IPR2022-00236.

8. Attached as **Exhibit H** is a true and correct copy of U.S. Patent Appl. Publ. No. 2010/0312925 (“*Osanai*”) filed as Exhibit 1005 in IPR2022-00236.

9. Attached as **Exhibit I** is a true and correct copy of U.S. Patent No. 8,020,022 (“Tokuhiro”) filed as Exhibit 1006 in IPR2022-00236.

10. Attached as **Exhibit J** is a true and correct copy of excerpts from Petitioner Reply (Paper 26) in IPR2022-00236.

11. Attached as **Exhibit K** is a true and correct copy of excerpts from the Petition (Paper 2) in IPR2022-00236.

12. Attached as **Exhibit L** is a true and correct copy of excerpts from the Patent Owner Response (Paper 23) in IPR2022-00711.

13. Attached as **Exhibit M** is a true and correct copy of excerpts from the Patent Owner Preliminary Response (Paper 7) in IPR2022-00711.

14. Attached as **Exhibit N** is a true and correct copy of the Court’s Claim Construction Order in the *Netlist-Samsung* case.

15. Attached as **Exhibit O** is a true and correct copy of Netlist’s Opening Claim Construction Brief in the *Netlist-Samsung* case.

16. Attached as **Exhibit P** is a true and correct copy of Samsung’s Responsive Claim Construction Brief in the *Netlist-Samsung* case.

17. Attached as **Exhibit Q** is a true and correct copy of Netlist’s Reply Claim Construction Brief in the *Netlist-Samsung* case.

18. Attached as **Exhibit R** is a true and correct copy of highlighted excerpts from the Trial Transcript in the *Netlist-Samsung* case.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct to the best of my knowledge.

//

Executed on June 23, 2023, in Redwood City, CA.

By: /s/ Michael R. Rueckheim  
Michael R. Rueckheim